

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	NO: WA:13-CR-00266(1)-ADA
	§	
(1) GUILLERMO MARCOS VILLA	§	

ORDER ACCEPTING REPORT AND RECOMMENDATION .
OF THE UNITED STATES MAGISTRATE JUDGE

Before the court is the above styled and numbered cause. On July 26, 2023 the United States Probation Office filed a Petition For Warrant or Summons For Offender Under Supervision for Defendant (1) GUILLERMO MARCOS VILLA, which alleged that Villa violated a condition of his supervised release and recommended that Villa's supervised release be revoked (Clerk's Document No. 47). A warrant issued and Villa was arrested. On July 31, 2023, Villa appeared before a United States Magistrate Judge, was ordered detained, and a revocation of supervised release hearing was set.

Villa appeared before the magistrate judge on August 15, 2023, waived his right to a preliminary hearing and to be present before the United States District Judge at the time of modification of sentence, and consented to allocution before the magistrate judge. Following the hearing, the magistrate judge signed his report and recommendation on August 15, 2023, which provides that having carefully considered all of the arguments and evidence presented by the Government and Defendant, based on the original offense and the intervening conduct of Villa, the magistrate judge recommends that this court

continue Villa's supervised release. The magistrate judge recommends the additional following special conditions: that he serve 30 days jail time with credit for time served since arrest on July 28, 2023, and a special condition he complete substance abuse treatment either in-patient or out-patient as determined by probation. (Clerk's Document No. 55).

A party may serve and file specific, written objections to the proposed findings and recommendations of a magistrate judge within fourteen days after being served with a copy of the report and recommendation, and thereby secure a *de novo* review by the district court. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en bane*). The parties in this cause were properly notified of the consequences of a failure to file objections.


On August 15, 2023, following the hearing on the motion to revoke supervised release, all parties signed a Waiver Of Fourteen Day Rule For Filing Objections To Report and Recommendation Of United States Magistrate Judge (Clerk's Document No. 57). The court, having reviewed the entire record and finding no plain error, accepts and adopts the report and recommendation filed in this cause.

IT IS THEREFORE ORDERED that the Report and Recommendation of the United States Magistrate Judge filed in this cause (Clerk's Document No. 55) is hereby ACCEPTED AND ADOPTED by this court.

IT IS FURTHER ORDERED that Defendant (1) GUILLERMO MARCOS VILLA's term of supervised release is hereby CONTINUED. In addition, defendant Villa shall comply with the following special conditions: that he serve 30 days jail time with credit for time served since arrest on July 28, 2023, and a special condition that he complete substance abuse treatment either in-patient or out-patient as determined by probation.

IT IS FURTHER ORDERED that all prior conditions of supervised release are reimposed.

Signed this 16th day of August, 2023.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE